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Attorneys for Defendants  
 Research 2000 and Delair D. Ali

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

KOS MEDIA, LLC, et al.,

Plaintiffs,

vs.

RESEARCH 2000, et al.,

Defendants.

) Case No. 10-CV-02894 (MEJ)  
 )  
 ) **STIPULATED MOTION TO EXTEND**  
 ) **SCHEDULE FOR RESPONSIVE**  
 ) **PLEADING AND ALL DEADLINES SET**  
 ) **FORTH IN THE ORDER SETTING**  
 ) **INITIAL CASE MANAGEMENT**  
 ) **CONFERENCE AND ADR DEADLINES**  
 )  
 )

With the consent of Plaintiffs Kos Media, LLC and Markos Moulitsas Zúniga (collectively, “Plaintiffs”), Defendants Research 2000 and Delair D. Ali (collectively, “Defendants”) respectfully move for an extension of time of 45 days to file a responsive pleading and to meet the other deadlines set forth in the Court’s June 30, 2010 Order Setting Initial Case Management Conference and ADR Deadlines (“Case Management Order”). Defendants seek this extension because the parties are working on a settlement which they hope to complete very soon.

The parties already have agreed on the basic terms of the settlement, which contemplates a series of actions to be taken by each party over an extended period of time. When Plaintiffs’ counsel alerted the Court to the impending settlement late last week, the Court requested that the parties file their stipulation dismissing the case by September 30, 2010. The terms of the agreement now being negotiated by the parties, however, contemplate the stipulation of dismissal being filed a few weeks

1 later than September 30, 2010 which has prompted the request set forth in this motion for a 45 day  
2 extension of the schedule established by the Case Management Order.

3 Specifically, under the schedule now being negotiated by the parties, there is a deadline for  
4 action which falls within 30 days after the execution of the formal settlement agreement. After that  
5 deadline is met, the stipulation of dismissal promptly would be filed. As the settlement agreement is  
6 neither final nor executed, this first deadline will likely fall in early October. It is, of course, possible,  
7 that the parties may satisfy their respective obligations earlier than the initial 30 day deadline and the  
8 stipulation of dismissal could be filed by September 30, 2010. Certainly the parties will make every  
9 effort to expedite the performance of their obligations to do so. Out of an abundance of caution,  
10 however, the parties seek the 45 day extension to give them sufficient time to finalize and execute the  
11 settlement agreement now under negotiation and meet their initial obligations under the terms of that  
12 agreement, without responses to a motion to dismiss or the other deadlines set by the Case  
13 Management Order competing for their attention. With this additional 45 days, the parties should be  
14 able to file a stipulation of dismissal on or before October 25, 2010.

15 In the unlikely event that such a Stipulation of Dismissal is not filed on or before October 25,  
16 2010, Defendants will file a responsive pleading on that date, and the parties will satisfy the other  
17 deadlines in the Case Management Order according to the time frame established by that order, i.e.,

18 By November 3, 2010, the parties will

- 19 • meet and confer regarding initial disclosures, early settlement, ADR process selection,  
20 and discovery plan
- 21 • file ADR Certification
- 22 • file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

23 By November 17, 2010, the parties will

- 24 • file 26(f) Report, complete initial disclosures or state objections in Rule 26(f) Report  
25 and file Case Management Statement

1 The parties acknowledge and agree that the Court may reschedule the Initial Case Management  
2 Conference for a date of its preference.

3 Dated: September 7, 2010

Respectfully submitted,

4 HOWREY LLP

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6 By: /s/Emily Maxwell  
7 Emily Maxwell  
8 Attorneys for Defendants  
9 Research 2000 and Delair D. Ali  
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